

THEODORE FRANKLIN, Bar No. 168305
LINDA BALDWIN JONES, Bar No. 178922
EZEKIEL D. CARDER, Bar No. 206537
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501
Telephone (510) 337-1001
Fax (510) 337-1023
E-Mail: tfranklin@unioncounsel.net
lbjones@unioncounsel.net
ecarder@unioncounsel.net

Attorneys for Respondent

JOSEPH E. WILEY (State Bar No. 84154)
MONNA R. RADULOVICH (State Bar No. 120991)
WILEY PRICE & RADULOVICH, LLP
1301 Marina Village Parkway, Suite 310
Alameda, California 94501
Telephone (510) 337-2810
Fax (510) 337-2811

Attorneys for Petitioner

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CITY OF COLFAX,

Petitioner,

v.

STATIONARY ENGINEERS LOCAL 39
HEALTH & WELFARE TRUST FUND,

Respondent.

No. C 12-00281 MMC

**STIPULATION TO CONTINUE ALL
DATES RELATING TO
RESPONDENT'S MOTION FOR
ATTORNEYS' FEES; [PROPOSED]
ORDER**

CITY OF COLFAX,

Petitioner,

v.

STATIONARY ENGINEERS LOCAL 39
HEALTH & WELFARE TRUST FUND,

Respondent.

No. C 12-00562 MMC

STIPULATION TO CONTINUE ALL HEARING DATES RELATING TO MOTION FOR ATTORNEYS'
FEES; [PROPOSED] ORDER; CASE NOS. C 12-00281 MMC AND C 12-00562 MMC

Pursuant to Federal Rules of Civil Procedure 54, and Civil Local Rules 54-5 and 6-2, the Parties to the above-captioned matters, by and through the undersigned counsel, hereby stipulate to continue all dates relating to the motion for attorneys' fees filed by Respondent Stationary Engineers Local 39 Health and Welfare Trust Fund ("Trust Fund"), currently scheduled for June 15, 2012, to allow the parties time to finalize a settlement, obtain approval of the Parties' respective governing boards and execute all necessary settlement documents. The City Council for the Petitioner City of Colfax will consider the proposed settlement at either its May 23, 2012 or June 13, 2012 meeting, depending upon when the Parties complete the necessary settlement documents. It is anticipated that the settlement will be finalized by June 30, 2012.

In light of the foregoing, the Parties stipulate to: (1) continue the hearing on the Respondent Trust Fund's motion for attorneys' fees for at least 40 days to July 27, 2012; (2) continue the deadline to file the Petitioner City of Colfax's opposition papers to fourteen calendar days prior to said hearing date; and (c) continue the deadline to file the Respondent Trust Fund's reply papers to seven calendar days prior to said hearing date.

With this stipulation, the Parties respectfully request that the Court: (1) continue the June 15, 2012 hearing date on Respondent's motions for attorneys' fee consistent with the above stipulation; (2) extend the deadline for the Petitioner City of Colfax to file its opposition papers to fourteen calendar days prior to said hearing date; and (c) extend the deadline for the Respondent Trust Fund to file its reply papers to seven calendar days prior to said hearing date.

Dated: May 17, 2012

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ Linda Baldwin Jones
LINDA BALDWIN JONES
Attorneys for Respondent

Dated: May 17, 2012

WILEY PRICE RADULOVICH, LLP

By: /s/ Monna R. Radulovich
MONNA R. RADULOVICH
Attorneys for Petitioner

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED, and the hearing on the motion for attorneys fees is continued to July 27, 2012, with the exception that the deadline for the Respondent Trust Fund to file its reply papers is extended only to July 13, 2012.

Dated: May 18, 2012


HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT JUDGE

129940/668972